

REMARKS/ARGUMENTS

Claims 1, 3-8, 10, 11, 13, 23 and 25-28 are now pending in this application. Claims 1 and 23 are independent claims. Claims 1, 6 and 23 have been amended. Claims 2, 9, 12, 14-22, 24 and 29-31 have been cancelled.

Claim Rejections – 35 USC § 112, 2nd Paragraph

Claims 6-8 stand rejected under 35 U.S.C. § 112, 2nd paragraph. Claim 6 has been amended, thereby obviating the rejections under this section.

Claim Rejections – 35 USC § 103(a)

Claims 1, 3-8, 10, 13, 23 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Idleman et al., United States Patent Number: 5,274,645 (hereinafter: Idleman), in view of Weng, United States Patent Number: 5,265,104 (hereinafter: Weng). (Office Action, Page 3). Claims 11 and 26-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Idleman and Weng, in view of Iwatani, United States Patent Number: 6,023,780 (hereinafter: Iwatani). (Final Office Action, Page 7). Applicant respectfully traverses these rejections.

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (emphasis added) (MPEP § 2143). “If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious.” (emphasis added) *In re Fine*, 837 F. 2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988). Applicant respectfully submits that independent Claims 1 and 23 include elements that are not disclosed, taught or suggested by any of the references cited by the Patent Office, either alone or in combination.

Independent Claims 1 and 23 of the present invention each generally recite a system/method wherein:

“wherein the error detection and correction code metadata and the generated error detection and correction code allow for verification of data path integrity at a byte level and detection of drive anomalies at a byte level”

In the present invention, error detection and correction code (CRC) metadata and generated error detection and correction code (CRC) allow for verification of data path integrity at a byte level and detection of drive anomalies at a byte level. (Present Application, Page 9, Paragraph 0034). The above-referenced elements allow for protection against drive anomaly errors in which the majority of the data in a sector or sectors is correct. (Present Application, Page 4, Paragraph 0010). The above-referenced elements further provide for generation and management of CRC data at a sector level, a typical sector size being 512 bytes. (Present Application, Page 8, Paragraph 0032, Page 11, Paragraph 0039).

Based on the rationale above, Applicant contends that none of the references cited by the Patent Office against the present invention, either alone or in combination, teach, disclose or suggest the above-referenced elements as claimed in Claims 1 and 23 of the present application and therefore, the above-cited references do not preclude patentability of the present invention under 35 U.S.C. § 103(a). Applicant further contends that it would not have been obvious to one of ordinary skill in the art at the time of the present invention to combine or modify any of the above-cited references to arrive at the present invention as claimed. As a result, a *prima facie* case of obviousness has not been established for independent Claims 1 and 23. Thus, independent Claims 1 and 23 are believed allowable. Further, Claims 3-8, 10, 11 and 13 (which depend from Claim 1) and Claims 25-28 (which depend from Claim 23) are therefore allowable.

CONCLUSION

In light of the forgoing, reconsideration and allowance of the pending claims is earnestly solicited.

Respectfully submitted on behalf of

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